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PATENT

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REMARKS

Claims 1-8 were presented for examination. In the Office Action mailed 9 August 2005, claims 5-8 were objected to for a minor informality. Claims 1, 4, 6 and 7 were rejected as anticipated by U.S. Patent 3,487,541 (Boswell). Claims 2, 3, 5 and 8 were rejected as unpatentable over Boswell.

By this response claims 5 and 6 are amended by correcting an inadvertent extra capitalization to cure the informality. Claims 2, 7 and 8 are canceled. Claim 1 is amended and new claims 9-13 are added to more particularly claim the invention. Reconsideration is requested.

Amended claim 1 is particularly directed to a novel LED mount in which a pedestal on a substrate has a first surface with an area smaller than an area of a first surface of a die, and adhesive material affixes the first surface of the die to the first surface of the pedestal. The adhesive material covers and extends beyond the first surface of the pedestal.

Boswell shows a printed circuit structure in which a chip die 1 is "secured" to a substrate 2 by an "adhesive area" 16 (Fig. 12 and Column 4 lines 67-75. The nature of the adhesive area is not further defined, but it is apparent from the description and the figure that this construction is intended to create a gap between the chip die and the substrate so that a contact finger 17 can be inserted between the chip die and the substrate.

The Boswell construction differs markedly from the LED mount of the present invention. In the present invention, both a pedestal and adhesive are present. Boswell shows what looks like a pedestal but is described as "adhesive area". Boswell does not show both adhesive and pedestal as separate elements. Boswell also shows a deliberately-created gap between the chip die and the substrate. In contrast, the present invention claims adhesive that covers and extends beyond the surface of the pedestal.

Accordingly, it is submitted that claim 1 is not anticipated by Boswell. For the same reasons, it is submitted that claims 4 and 6, which also feature adhesive separate from and extending beyond the pedestal, do not anticipate Boswell.

A prima facie case of obviousness is established when the teachings of the prior art itself suggest the claimed subject matter to a person of ordinary skill in the art. *In re Bell*, 991 F.2d 781, 783, 26 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1993). To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP § 2142.

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Claim 3, which depends from claim 1, is directed to a novel LED mount in which a pedestal is formed on a substrate. The pedestal has a first surface with an area smaller than an area of a first surface of a die, and adhesive material affixes the first surface of the die to the first surface of the pedestal. The adhesive material covers and extends beyond the first surface of the pedestal.

Boswell is directed to the problem of making connections to a flip-chip on a printed circuit board. The present invention is directed to the problem of manufacturing a single component – an LED. Nothing in Boswell creates any motivation to invent an LED structure like that described in claim 3. Applying the teachings of Boswell to the problems of LED manufacture might result in an LED with contacts on both sides, something like the illustration in Fig 12 of Boswell. There is no apparent reason why anyone would want to do that. Boswell does not have anything to offer the routineer who wants to solve the problem of adhesives blocking part of the light from LEDs. This was the problem confronting the applicants, and claim 3 is directed to their solution.

Moreover, Boswell does not suggest a pedestal and adhesive as distinct elements. Boswell shows only an adhesive area that facilitates connections on both sides of a chip. This does not suggest all the limitations of claim 3.

Accordingly, it is submitted that claim 3 is patentable over Boswell. For the same reasons, claim 5 is also patentable over Boswell.

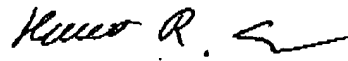
Claims 9-13 are new. For the reasons set forth above, it is submitted that these claims are patentable over Boswell.

The applicants submit that this application is now in condition for allowance and an action to that effect is respectfully requested.

Respectfully submitted,

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